

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division

SERVICE EMPLOYEES INTERNATIONAL)
UNION LOCAL 32BJ,)
)
Plaintiff,)
)
v.) 1:17-cv-1002 (LMB/TCB)
)
BROWN & PIPKINS LLC d/b/a/ ASCENTIAL,)
)
Defendant.)

ORDER

On August 8, 2019, the assigned magistrate judge issued a Report and Recommendation (the “Report”) recommending that a default judgment of \$902,784.54, plus interest in the amount of 4% per annum beginning on August 17, 2017, be entered in favor of Service Employees International Union Local 32BJ (“plaintiff”) against Brown & Pipkins LLC d/b/a/ Ascential (“defendant”). At issue are unpaid arbitration awards issued by Arbitrator Garvin Oliver in favor of plaintiff pursuant to plaintiff’s collective bargaining agreements with defendant. The Report advised the parties that any objection to its findings of fact or recommendations of law had to be filed within fourteen days and that failure to file timely objections waives appellate review of any judgment based on the Report. As of September 11, 2019, neither party has filed an objection.

The magistrate judge correctly found that this Court has subject matter jurisdiction over this civil action under Section 301 of the Labor Management Relations Act, 29 U.S.C. § 185(a), because this is a suit for violation of contracts between an employer and a labor organization representing employees in an industry affecting commerce. The magistrate judge also correctly found that this Court has specific personal jurisdiction over defendant because defendant served

as the employer for cleaning and maintenance employees, represented by plaintiff, who were employed at Fort Belvoir in Virginia. Lastly, the magistrate judge correctly found that venue is proper in this district under 29 U.S.C. § 185(a) because this Court has jurisdiction over both parties, as well as under 28 U.S.C. § 1331(b)(2) because a substantial part of the events giving rise to the claim occurred in this district.

Plaintiff properly effectuated service of process on October 30, 2017 by serving the Georgia Secretary of State in accordance with Georgia law. The summons was returned executed on November 11, 2017. As of September 11, 2019, defendant has not filed any responsive pleadings to plaintiff's complaint or motion for entry of default judgment, and has not made any appearance in this action.

Having reviewed the Report and relevant pleadings, this Court adopts the findings of fact and conclusions of law contained in the Report as its own. Defendant entered into multiple collective bargaining agreements with plaintiff, each of which contained an arbitration clause. Plaintiff subsequently filed four grievances against defendant, which resulted in four arbitration awards in favor of plaintiff. Defendant has not made any payments towards any of these awards. As a result, plaintiff seeks the amount of these awards, \$902,784.54, plus interest in the amount of 4% per annum beginning on August 17, 2017. Accordingly, plaintiff's Motion for Default Judgment [Dkt. 16] is GRANTED, and it is hereby

ORDERED that plaintiff's proposed Order and Judgment be and is entered.

The Clerk is directed to enter judgment pursuant to Fed. R. Civ. P. 55 in favor of plaintiff, and to forward a copy of this Order to counsel of record.

Entered this 11th day of September, 2019.

Alexandria, Virginia